

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JULIA JUNG and RICHARD
JUNGE, on behalf of themselves and a
class of similarly situated investors,

Plaintiffs,

v.

GERON CORPORATION, and JOHN
A. SCARLETT,

Defendants.

No. C 20-00547 WHA

Consolidated with C 20-01163

Related to C 20-02823; MC 22-80051

**RULING RE OBJECTOR JOSE
VELAZQUEZ AND ORDER TO
SHOW CAUSE**

With respect to the initial objection filed by Jose Velazquez against the proposed \$24 million settlement in the above-entitled class action, the record shows the objector did not lose money on the transactions in question, instead, he made an overall gain of \$645.66. This is documented at Dkt. No. 270. (Objector Velazquez's initial objection dated March 10, 2023, is filed at Dkt. No. 59 in *3:22-mc-80051 WHA*).

Therefore, it would appear that Objector Velazquez is not entitled to any proceeds from the settlement because the settlement should be used to compensate those who lost money, not those who made money. Objector Velazquez's grievance that he is a participant and therefore should get something is incorrect. Only someone who lost money should be compensated.

Counsel have provided the Court with a more recent letter by Objector Velazquez, that states in part:

Since your firm wants to act like a bunch of Greedy Blood sucking Parasite pieces of shit. This is my new request. Settle with me for \$10,000 and not a penny more or a penny less to remove me and only me from the equation of the case.

But, if you don't, that's fine.

I will contact the judge and ask for a delay of the settlement talks and your recent court filing while I look for other participants in this Class Action Lawsuit who are being screwed by your firm. If I have to hire a lawyer and look for other participants, the 10,000 will be off the table and it will go up. I will make sure I ask my lawyer for more and you will pay my fees because you made this a bigger issue that it needed to be.

You have one week to decide. I don't care how you decide, I will do what needs to be done and I will play whatever **cards** I need to play.

Objector Velazquez's demands for \$10,000 or he will carry out his threat are the hallmarks of the classic hold up artist, *i.e.*, someone who tries to hold-up a beneficial settlement for the entire class to get more for himself — money that is not deserved or fair. In this case, Objector Velazquez is entitled to zero, yet he wants \$10,000. According to the records, the largest purchase he ever made during the class period was for \$950. His \$10,000 demand has no actual or realistic bearings on his transactions. This is a hold-up threat, a form of extortion.

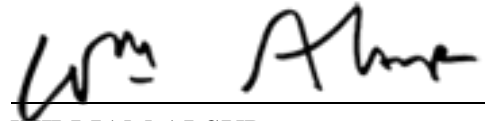
Class counsel are ordered to have no further discussions with Objector Velazquez, and to preserve all records of communications between him and the firm other than for class counsel to immediately mail or email a copy of this order to Objector Velazquez.

Objector Velazquez is ordered to appear in-person and to **SHOW CAUSE on WEDNESDAY, MAY 24, 2023, AT 10:30 AM** why his communications with class counsel should not be referred to the United States Attorneys Office for investigation for possible wire fraud or mail fraud or extortion, leaving to that office whether or not to prosecute. Objector Velazquez is entitled to retain a lawyer to appear with him in-person or he may appear in-person for himself. The hearing will be in-person, located in Courtroom 12, 19th floor, at 450 Golden Gate Avenue in San Francisco, California. His written submission is also due in advance of the hearing on

WEDNESDAY MAY 10, 2023, BY NOON. It shall be under oath. The deputy clerk shall mail a copy of this order to Objector Velazquez.

IT IS SO ORDERED.

Dated: April 13, 2023.

A handwritten signature in black ink, appearing to read "Wm Alsop", is written over a horizontal line.

WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE